

REMARKS

The Final Office Action of October 1, 2003, has been considered by the Applicants. Reconsideration of the application is respectfully requested in view of the comments set forth below.

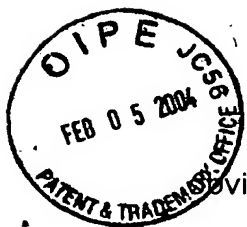
The Examiner, on page 2 of the Office Action, rejected claims 13, 15-19, and 25-29 under 35 U.S.C. 102(e) as being anticipated by Ramakrishnan et al. (U.S. Pub. 2001/0041355 A1). Specifically, the Examiner stated the following:

Claims 13, 15-19, and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramakrishnan et al. (US Pub 2001/0041355 A1). Ramakrishnan et al. teach a method of treating urinary incontinence with an agent that modulates the nerve growth factor-related G protein-coupled receptor (NF-GPCR) (see section [0031]; claim 62). Ramakrishnan et al. teach that adrenomedullin (regarding claims 15-19 and 26-29) is a natural ligand of NGFR-GPCRs (see section [0144]). Thus, the reference anticipates the claimed method.

In response, the Examiner is invited to review the priority of the application of Applicant and that of Ramakrishnan et al. The Examiner will note that the present invention claims a priority date of June 23, 1999 (JP11-177549), while the priority date of Ramakrishnan et al. is March 24, 2000. Clearly, the claimed invention was not described in Ramakrishnan et al. before Applicant's invention, since Applicant's invention had to occur prior to June 23, 1999, its earliest priority date. For the Examiner's ease in reviewing this matter, Applicant is enclosing a copy of an English translation of the priority document (JP11-177549) in order to establish priority of the present invention over Ramakrishnan et al. Clearly, Applicant has priority over Ramakrishnan et al., and withdrawal of this rejection is requested.

On page 3 of the Final Office Action, the Examiner also asserts that claims 13 and 15-34 of the present invention are obvious over Ramakrishnan et al. in view of Kitamura et al., under 35 U.S.C. § 103. However, Ramakrishnan et al., is inapplicable as set forth above.

Additionally, the Examiner states that Kitamura et al. discloses adrenomedullin as a novel hypotensive peptide. However, there is no description or teaching in Kitamura et al. to use adrenomedullin for promoting extension of bladder smooth muscle or for ameliorating urination disorders. As such, the present invention is novel and non-obvious over the prior art. The Applicant requests that the Examiner's



Obviousness rejection also be withdrawn.

Applicants submit the present application is in condition for allowance. Withdrawal of the objections and rejections and issuance of a Notice of Allowance is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

It is believed that no fee is due in conjunction with this response. If, however, it is determined that fees are due, authorization is hereby given for deduction of those fees from Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

February 2, 2004
Date

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Certificate of Mailing

Under 37 C.F.R. § 1.8, I certify that this Amendment Transmittal Letter and accompanying document(s) are being

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- ☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
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Date
February 2, 2004

Signature
Printed Name Lynda S Kalembe